

State and county	Location	Dates and name of newspaper where notice was published	Chief executive officer of community	Effective date of modification	Community No.
Puerto Rico (FEMA Docket No. 7178).	Commonwealth .....	Mar. 19, 1996, Mar. 25, 1996, <i>El Nuevo Dia</i> .	Ms. Norma N. Burgos-Andujar, Chairwoman of the Puerto Rico, Planning Board, Minillas Station, P.O. Box 41119, San Juan, PR 00940-9985.	Sept. 13, 1996 .....	720000 C
Tennessee: Shelby (FEMA Docket No. 7186).	City of Germantown ....	May 2, 1996, May 9, 1996, <i>Germantown News</i> .	The Honorable Sharon Goldsworthy, Mayor of the City of Germantown, 1930 South Germantown Road, P.O. Box 38809, Germantown, TN 38183-0809.	Apr. 23, 1996 .....	470353 E

(Catalog of Federal Domestic Assistance No. 83.100, "Flood Insurance")

Dated: December 10, 1996.

Craig S. Wingo,

*Deputy Associate Director, Mitigation Directorate.*

[FR Doc. 96-32263 Filed 12-18-96; 8:45 am]

BILLING CODE 6718-03-P

#### 44 CFR Part 65

[Docket No. FEMA-7197]

#### Changes in Flood Elevation Determinations

**AGENCY:** Federal Emergency Management Agency, FEMA.

**ACTION:** Interim rule.

**SUMMARY:** This interim rule lists communities where modification of the base (1% annual chance) flood elevations is appropriate because of new scientific or technical data. New flood insurance premium rates will be calculated from the modified base flood elevations for new buildings and their contents.

**DATES:** These modified base flood elevations are currently in effect on the dates listed in the table and revise the Flood Insurance Rate Map(s) (FIRMs) in effect prior to this determination for each listed community.

From the date of the second publication of these changes in a newspaper of local circulation, any person has ninety (90) days in which to request through the community that the Executive Associate Director reconsider the changes. The modified elevations may be changed during the 90-day period.

**ADDRESSES:** The modified base flood elevations for each community are available for inspection at the office of the Chief Executive Officer of each

community. The respective addresses are listed in the following table.

**FOR FURTHER INFORMATION CONTACT:**

Frederick H. Sharrocks, Jr., Chief, Hazard Identification Branch, Mitigation Directorate, 500 C Street SW., Washington, DC 20472, (202) 646-2796.

**SUPPLEMENTARY INFORMATION:** The modified base flood elevations are not listed for each community in this interim rule. However, the address of the Chief Executive Officer of the community where the modified base flood elevation determinations are available for inspection is provided.

Any request for reconsideration must be based upon knowledge of changed conditions, or upon new scientific or technical data.

The modifications are made pursuant to section 201 of the Flood Disaster Protection Act of 1973, 42 U.S.C. 4105, and are in accordance with the National Flood Insurance Act of 1968, 42 U.S.C. 4001 et seq., and with 44 CFR part 65.

For rating purposes, the currently effective community number is shown and must be used for all new policies and renewals.

The modified base flood elevations are the basis for the floodplain management measures that the community is required to either adopt or to show evidence of being already in effect in order to qualify or to remain qualified for participation in the National Flood Insurance Program.

These modified elevations, together with the floodplain management criteria required by 44 CFR 60.3, are the minimum that are required. They should not be construed to mean that the community must change any existing ordinances that are more stringent in their floodplain management requirements. The community may at any time enact stricter requirements of its own, or

pursuant to policies established by other Federal, state or regional entities.

The changes in base flood elevations are in accordance with 44 CFR 65.4.

#### National Environmental Policy Act

This rule is categorically excluded from the requirements of 44 CFR Part 10, Environmental Consideration. No environmental impact assessment has been prepared.

#### Regulatory Flexibility Act

The Executive Associate Director, Mitigation Directorate, certifies that this rule is exempt from the requirements of the Regulatory Flexibility Act because modified base flood elevations are required by the Flood Disaster Protection Act of 1973, 42 U.S.C. 4105, and are required to maintain community eligibility in the National Flood Insurance Program. No regulatory flexibility analysis has been prepared.

#### Regulatory Classification

This interim rule is not a significant regulatory action under the criteria of section 3(f) of Executive Order 12866 of September 30, 1993, Regulatory Planning and Review, 58 FR 51735.

#### Executive Order 12612, Federalism

This rule involves no policies that have federalism implications under Executive Order 12612, Federalism, dated October 26, 1987.

#### Executive Order 12778, Civil Justice Reform

This rule meets the applicable standards of section 2(b)(2) of Executive Order 12778.

#### List of Subjects in 44 CFR Part 65

Flood insurance, Floodplains, Reporting and recordkeeping requirements. Accordingly, 44 CFR part 65 is amended to read as follows:

**PART 65—[AMENDED]**

1. The authority citation for part 65 continues to read as follows:

Authority: 42 U.S.C. 4001 et seq.; Reorganization Plan No. 3 of 1978, 3 CFR, 1978 Comp., p. 329; E.O. 12127, 44 FR 19367, 3 CFR, 1979 Comp., p. 376.

**§ 65.4 [Amended]**

2. The tables published under the authority of § 65.4 are amended as follows:

State and county	Location	Dates and name of newspaper where notice was published	Chief executive officer of community	Effective date of modification	Community No.
Connecticut: Fairfield	Town of Darien .....	Sept. 12, 1996, Sept. 19, 1996, <i>Darien News-Review</i> .	Mr. Hank Sanders, First Selectman of the Town of Darien, 2 Renshaw Road, Town Hall, Darien, CT 06820.	Sept. 5, 1996 .....	090005D
Illinois: Will and DuPage Counties.	City of Naperville .....	Dec. 13, 1995, Dec. 20, 1995, <i>The Naperville Sun</i> .	The Honorable A. George Pradel, Mayor of the City of Naperville, 400 South Eagle Street, Naperville, IL 60540.	Dec. 5, 1995 .....	170213C
Indiana: Hendricks ....	Unincorporated areas	Sept. 19, 1996, Sept. 26, 1996, <i>Hendricks County Flyer</i> .	Mr. John D. Calmpitt, President of the Hendricks County Board of Commissioners, P.O. Box 188, Danville, IN 46122.	Dec. 25, 1996 .....	180415B
Indiana: Johnson .....	Unincorporated areas	Sept. 16, 1996, Sept. 23, 1996, <i>Daily Journal</i> .	Mr. Alfred Chappel, Chairman of the Johnson County Board of Commissioners, 86 West Court Street, Courthouse Annex, Franklin, IN 46131.	Sept. 9, 1996 .....	180111C
New Jersey: Middlesex.	Borough of South River	Sept. 9, 1996, Sept. 16, 1996, <i>The Home News &amp; Tribune</i> .	The Honorable Thomas J. Toto, Mayor of the Borough of South River, 64-66 Main Street, South River, NJ 08882.	Mar. 3, 1997 .....	340280C
North Carolina: Durham.	City of Durham .....	Aug. 30, 1996, Sept. 6, 1996, <i>The Herald-Sun</i> .	The Honorable Sylvia Kerckhoff, Mayor of the City of Durham, 101 City Hall Plaza, Durham, NC 27701.	Aug. 23, 1996 .....	370086G
North Carolina: Durham.	Unincorporated areas	Aug. 30, 1996, Sept. 6, 1996, <i>The Herald-Sun</i> .	Mr. David F. Thompson, Durham County Manager, 200 East Main Street, 2d floor, Durham, NC 27701.	Aug. 22, 1996 .....	370085G
Ohio: Summit .....	City of Hudson .....	Aug. 28, 1996, Sept. 4, 1996, <i>Hudson Hub</i> .	The Honorable Harold L. Bayleff, Mayor of the City of Hudson, 27 East Main Street, Hudson, OH 44236.	Aug. 22, 1996 .....	390660B

(Catalog of Federal Domestic Assistance No. 83.100, "Flood Insurance.")

Dated: December 10, 1996.

Craig S. Wingo,

*Deputy Associate Director, Mitigation Directorate.*

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**44 CFR Part 67****Final Flood Elevation Determinations**

**AGENCY:** Federal Emergency Management Agency (FEMA).

**ACTION:** Final rule.

**SUMMARY:** Base (1% annual chance) flood elevations and modified base flood elevations are made final for the communities listed below. The base flood elevations and modified base flood elevations are the basis for the floodplain management measures that each community is required either to adopt or to show evidence of being already in effect in order to qualify or remain qualified for participation in the National Flood Insurance Program (NFIP).

**EFFECTIVE DATES:** The date of issuance of the Flood Insurance Rate Map (FIRM) showing base flood elevations and modified base flood elevations for each

community. This date may be obtained by contacting the office where the maps are available for inspection as indicated on the table below.

**ADDRESSES:** The final base flood elevations for each community are available for inspection at the office of the Chief Executive Officer of each community. The respective addresses are listed in the table below.

**FOR FURTHER INFORMATION CONTACT:** Frederick H. Sharrocks Jr., Chief, Hazard Identification Branch, Mitigation Directorate, 500 C Street SW., Washington, DC 20472, (202) 646-2796.